



Attorney's Docket No. 046658/271691

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re:	Merit et al.	Confirmation No.:	8380
Appl No.:	10/717,767	Group Art Unit:	1646
Filed:	November 20, 2003	Examiner:	Hissong, Bruce
D.			
For:	INTERFERON-ALPHA INDUCED GENE		

Mail Stop Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

RESPONSE TO RESTRICTION REQUIREMENT

This is in response to the Office Action dated June 2, 2006, in which the Examiner has required restriction between Group I, namely Claims 1-2 and 10; Group II, namely Claims 3-7, 9, 12, 14, 16-18, and 24; and Group III, namely Claims 8 and 15; and Group IV, namely Claim 11; and Group V, namely Claim 13; and Group VI, namely Claims 19-21; and Group VII, namely Claims 19-22; and Group VIII, namely Claim 23; and Group IX, namely Claim 25.

Applicants hereby elect to prosecute the claims of Group I (Claims 1-2 and 10) and expressly reserves the right to file divisional applications or take such other appropriate measures deemed necessary to protect the inventions in the remaining claims.

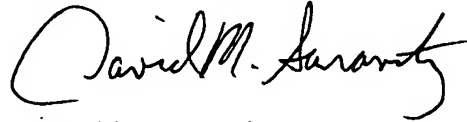
Should the Examiner have further questions or comments with respect to examination of this case, it is respectfully requested that the Examiner telephone the undersigned so that further examination of this application can be expedited.

It is not believed that extensions of time or fees for net addition of claims are required, beyond those, which may otherwise be provided for in documents accompanying this paper. However, in the event that additional extensions of time are necessary to allow consideration of this paper, such extensions are hereby petitioned

Appl No.: 10/717,767
Amendment Dated December 1, 2006
Reply to Restriction Requirement of June 2, 2006

under 37 CFR § 1.136(a), and any fee required therefore (including fees for net addition of claims) is hereby authorized to be charged to Deposit Account No. 16-0605.

Respectfully submitted,

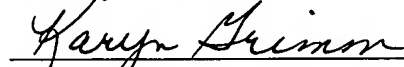


David M. Saravitz
Registration No. 53,593

CUSTOMER NO. 00826
ALSTON & BIRD LLP
Bank of America Plaza
101 South Tryon Street, Suite 4000
Charlotte, NC 28280-4000
Tel Raleigh Office (919) 862-2200
Fax Charlotte Office (704) 444-1111

"Express Mail" mailing label number EV 913517521 US
Date of Deposit December 1, 2006

I hereby certify that this paper or fee is being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 CFR 1.10 on the date indicated above and is addressed to:
Mail Stop Amendment, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450


Karyn Grimm